

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
)
Plaintiff,) **8:07CR269**
)
vs.) **ORDER**
)
ZUMARI T. WILSON and)
ANTHONY D. FORD,)
)
Defendants.)

This matter is before the court on the motion of defendant Zumari Wilson (Wilson) for leave to file pretrial motions out of time (Filing No. 24). Wilson seeks to file a motion to suppress out of time. For good cause shown, the motion (Filing No. 24) will be granted.

In Wilson's motion to suppress (Filing No. 25), Wilson requests an evidentiary hearing on the motion. Wilson's request for an evidentiary hearing is granted. An evidentiary hearing on the motion will be held **at 1:30 p.m., August 29, 2007**, in Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska. Wilson shall be present for the hearing. Counsel are reminded of the requirements of NECrimR 12.5 which provides as follows:

Disclosure of Evidence. This rule applies to all evidentiary hearings on pretrial motions in criminal cases.

(a) **Witnesses.** At the time of the hearing, and to the extent reasonably possible, the parties shall submit to the judge and courtroom deputy a written list of all witnesses whom the parties expect to call.

(b) **Exhibits.** At least twenty-four (24) hours before the hearing, each party shall mark the exhibits that party intends to introduce into evidence at the hearing, and provide a copy to counsel for all other parties and to the presiding judge.

Exhibits should be marked as follows: government's exhibits beginning at Number 1 and defense exhibits beginning at Number 101.

The jury trial of both above named defendants scheduled before Judge Laurie Smith Camp on September 18, 2007, is canceled and will be rescheduled following the disposition of Wilson's motion to suppress.

IT IS SO ORDERED.

DATED this 20th day of August, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge